

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 8, 2009

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

VAR-32152 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: MERITAGE HOMES OF NEVADA, INC. - Request for a Variance TO ALLOW FOR FIVE-FOOT REAR YARD SETBACKS WHERE 10 FEET IS REQUIRED ON 85 LOTS FOR OPEN PATIO COVERS on 6.49 acres adjacent to the northwest corner of Farm Road and Egan Crest Drive (APN's 126-13-113-001 through 015; 126-13-113-027 through 040; 126-13-113-062 through 067; 126-13-113-071 through 100; and 126-13-113-112 through 125), PD (Planned Development) Zone [ML (Medium Low) Cliff's Edge Master Development Plan], Ward 6 (Ross)

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

DENIAL

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Providence Letter
7. Submitted after Final Agenda – Protest Postcards
8. Submitted after Meeting – Recordation Notices of Planning Commission Action and Conditions of Approval

Motion made by KEEN ELLSWORTH to Approve subject to conditions and adding the following condition as read for the record:

A. The approval is for a nine-foot rear yard setback where 10 feet is required as noticed.

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

VICKI QUINN, STEVEN EVANS, GLENN TROWBRIDGE, RICHARD TRUESDELL, BYRON GOYNES, KEEN ELLSWORTH; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

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Minutes:

CHAIR GOYNES declared the Public Hearing open.

PETER LOWENSTEIN, Planning and Development, stated that the installation of patio covers will cause a 50 percent reduction in the required setback. Staff recommended denial, as it is a self-imposed hardship.

PATRICK HEALTHRIDGE, 5555 West Badora Avenue, Suite 120, appeared on behalf of the applicant. He explained that only one of the four proposed designs would have the optional patio cover, and the difference in setback is actually one foot according to the Cliff's Edge standards. If approval is obtained, he asked that approval be made upon issuance of a building permit rather than a final inspection. This will avoid the condition expiring should a buyer choose the floor plan with the patio cover.

Referring to the patio cover floor plan, COMMISSIONER TRUESDELL suggested the house be moved forward one foot. MR. HEALTHRIDGE believed there may be some confusion relative to the standards of the City and Cliff's Edge. DOUG RANKIN, Planning and Development, pointed out that Cliff's Edge is exempt from Title 19 standards.

After further discussion on setbacks, MARGO WHEELER, Director of Planning and Development, stated that there would need to be an added condition, as the applicant's request is for a nine-foot setback where 10 feet is required.

CHAIR GOYNES declared the Public Hearing closed.